



UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire

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Attorneys for Secured Creditor

U.S. Bank National Association, as Trustee for Terwin

Mortgage Trust 2005-8HE, Asset-Backed Certificates,

TMTS Series 2005-8HE

Order Filed on March 6, 2018

by Clerk

U.S. Bankruptcy Court

District of New Jersey

In Re:

Miguel E. Cunha, Angelina Cunha

Debtors.

Case No.: 17-10669 MBK

Adv. No.:

Hearing Date: 2/20/18 @ 10:00 a.m.

Judge: Michael B. Kaplan

ORDER REINSTATING STAY AND CURING POST-PETITION ARREARS

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: March 6, 2018

Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor: Miguel E. Cunha, Angelina Cunha

Case No: 17-10669 MBK

Caption of Order: ORDER REINSTATING STAY AND CURING ARREARS

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, U.S. Bank National Association, as Trustee for Terwin Mortgage Trust 2005-8HE, Asset-Backed Certificates, TMTS Series 2005-8HE, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 113 Fernwood Avenue, Burlington, NJ, 08016, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and, Lee Perlman, Esquire, attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of February 20, 2018, Debtors are in arrears outside of the Chapter 13 plan to Secured Creditor for payments due April 2017 through February 2018 (11 @ \$1,227.20, \$1,148.27 less suspense) for a total post-petition default of \$12,350.93;

It is ORDERED, ADJUDGED and DECREED that the debtor is to make an immediate payment of \$10,881.60 no later than March 15, 2018;

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$1,469.33 will be paid no later than March 31, 2018; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume March 1, 2018, directly to Secured Creditor, Specialized Loan Servicing, LLC, PO Box 636007, Littleton, Colorado 80163 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtors' Chapter 13 bankruptcy proceeding, if any of the regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond and that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtors, and Debtors' counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees, \$350.00 for the Opposition to the Motion to Reinstate, and \$176.00 for filing fees, totaling \$881.00, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that automatic stay as to the subject property is hereby reinstated.